

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr Andrew T. Harry on October 08, 2009.

The application has been amended as followed:

In claim 4, the limitation "acquire a communication quality of a signal transmitted from a different radio station" in lines 7 – 8 of Page 4 should be replaced by "acquire, **from a different radio station**, a communication quality of a signal transmitted from **the** different radio station".

In claim 4, "communication qualities acquired from the first and second mobiles stations;" in lines 9 - 10 of Page 4 should be replaced by "communication qualities acquired;".

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In claim 8, the limitation “acquire a communication quality of a signal transmitted from the second radio station” in lines 3 – 4 of Page 7 should be replaced by “acquire, **from the second radio station**, a communication quality of a signal transmitted from the second radio station”.

In claim 8, “communication qualities acquired from the first and second mobiles stations;” in lines 5 - 6 of Page 7 should be replaced by “communication qualities acquired;”.

In claim 9, the limitation “acquiring, at the first radio station, a communication quality of a signal transmitted from a second radio station” in lines 1 – 2 of Page 8 should be replaced by “acquiring, at the first radio station, **from a second radio station**, a communication quality of a signal transmitted from **the** second radio station”.

In claim 9, “communication qualities acquired from the first and second mobiles stations;” in lines 4 - 5 of Page 8 should be replaced by “communication qualities acquired;”.

Allowable Subject Matter

Claims 1 – 2 and 4 – 9 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Re independent claims 1 - 2 and 7, the prior art of record does not disclose of a first radio station comprising: a communication quality acquirer configured to acquire the communication quality from the first mobile station each of the plurality of mobile stations belonging to the specific multicast group, acquire a communication quality of a signal transmitted from the second radio station to the second mobile station belonging to the specific multicast group, and select the lowest communication quality from among the acquired communication qualities.

Re independent claims 4 and 8 - 9, the prior art of record does not disclose of a communication quality acquirer configured to acquire, from the first mobile station, a communication quality of a signal transmitted from the radio station to the first mobile, acquire, from a different radio station, a communication quality of a signal transmitted from the different radio station to a second mobile station belonging to the specific multicast group, and calculate an average value of the communication qualities acquired.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARISTOCRATIS FOTAKIS whose telephone number is (571)270-1206. The examiner can normally be reached on Monday - Friday 6:30 - 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aristocratis Fotakis/

Examiner, Art Unit 2611

/CHIEH M FAN/

Supervisory Patent Examiner, Art Unit 2611